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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,174	08/29/2000	Robert A. Cordery	F-189	9744

919 7590 11/01/2004

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EXAMINER

HAYES, JOHN W

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/650,174

Applicant(s)

CORDERY ET AL. *CT*

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Status of Claims

1. The Board of Patent Appeals and Interferences rendered a decision reversing examiner's rejections of claims 35-36 on 13 August 2004. Examiner is re-opening prosecution based on a newly discovered reference to Asay et al. A rejection of the claims is included below based on this newly discovered reference.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 35 is rejected under 35 U.S.C. 102(e) as being anticipated by Asay et al, U.S. Patent No. 5,903,882.

As per Claim 35, Asay et al disclose a method for validating a signed digital message comprising the steps of:

- providing a register having funds stored therein (Col. 24, lines 1-15; Col. 34, lines 24-32 and 55-65; Col. 41, lines 15-17 and 40-41; Col. 42, lines 10-20)
- receiving a signed digital message from a sender (Col. 1, lines 33-44; Col. 5, lines 57-65; Col. 8, lines 12-25; Col. 10, lines 37-44; Col. 16, lines 20-67)
- determining if sufficient funds are present in the register for validating the message (Col. 24, lines 1-15; Col. 34, lines 24-32; Col. 42, lines 10-20)

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- deducting funds from the register for validating the message (Col. 24, lines 1-15; Col. 34, lines 24-32 and 55-65; Col. 41, lines 15-17 and 40-41; Col. 42, lines 10-20)

- validating the signed digital message using a public key of the sender (Col. 1, lines 32-45; Col. 1 line 65-Col. 2 line 20; Col. 5, lines 57-65; Col. 17, lines 5-11; Col. 18, lines 19-25; Col. 18 line 60-Col. 19 line 5; Col. 19 line 65-Col. 20 line 15).

As per **Claim 36**, Asay et al further disclose:

- receiving with the signed digital message a certificate of the sender, the certificate being signed using a private key of a certificate authority (Figures 1 and 11; Col. 1 line 52-Col. 2 line 20; Col. 11, lines 2-10; Col. 16, lines 20-39)

- validating the certificate using a public key of the certificate authority (Col. 1 line 52-Col. 2 line 20; Col. 18 line 60-Col. 19 line 5; Col. 19 line 65-Col. 20 line 8); and

- extracting the public key of the sender from the certificate for use in validating the signed digital message (Col. 1, lines 32-45; Col. 1 line 65-Col. 2 line 20; Col. 17, lines 5-11; Col. 18, lines 19-25; Col. 18 line 60-Col. 19 line 5; Col. 19 line 65-Col. 20 line 15; Col. 24, lines 40-45).

Conclusion

4. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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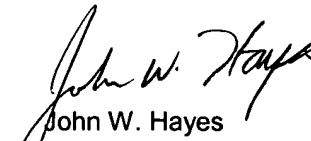
or faxed to:

(703) 872-9306 [Official communications; including
After Final communications labeled
"Box AF"]

(703) 746-5531 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.


**JOHN J. LOVE
DIRECTOR
TECHNOLOGY CENTER 3600**


John W. Hayes
Primary Examiner
Art Unit 3621

October 5, 2004